

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106**

DIVISION 1

**JAMES E. WELSH, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
GARY D. WITT, JUDGE**

DIVISION 2

**EDWARD R. ARDINI, JR., PRESIDING JUDGE
KAREN KING MITCHELL, JUDGE
ANTHONY REX GABBERT, JUDGE**

DIVISION 3

**ALOK AHUJA, PRESIDING JUDGE
THOMAS H. NEWTON, JUDGE
CYNTHIA MARTIN, JUDGE**

DIVISION 4

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
VICTOR C. HOWARD, JUDGE
KAREN KING MITCHELL, JUDGE**

ORAL ARGUMENT DOCKET – SEPTEMBER, 2017

NOTICE TO COUNSEL

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

DIVISION 1: THIS DIVISION WILL SIT ON SEPTEMBER 6, 2017. DOCKET CALLS WILL BE AT 9:00 A.M. AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON SEPTEMBER 12 AND 20, 2017. DOCKET CALLS WILL BE AT 9:00 AND 10:30 A.M., AND 1:30 P.M.

DIVISION 3: THIS DIVISION WILL SIT ON SEPTEMBER 11 AND 19, 2017. DOCKET CALLS WILL BE AT 9:00 AND 10:30 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON SEPTEMBER 7, 2017. DOCKET CALL WILL BE AT 9:00 A.M.

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Susan C. Sonnenberg, Clerk

DIVISION 3

ALOK AHUJA, PRESIDING JUDGE

THOMAS H. NEWTON, JUDGE

CYNTHIA MARTIN, JUDGE

SEPTEMBER, 2017

**THIS DIVISION WILL SIT ON SEPTEMBER 11 AND 19, 2017.
DOCKET CALLS WILL BE AT 9:00 AND 10:30 A.M.**

<p>IMPORTANT NOTE</p>

<p><u>PLEASE NOTE THE TIME AND DATE OF YOUR ARGUMENT. THIS INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR CASE IS LISTED.</u></p>

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

11-Sep-2017 09:00

DIVISION 3

Western District Ct of Appeals

1. WD80079

BOONE COUNTY CIRCUIT COURT

DAVID C RECHTIEN AND CHRISTINE A RECHTIEN, ET AL., RESPONDENTS,
vs
MICHAEL C COOPER, APPELLANT.

MICHAEL C COOPER, Appellant
THOMAS MICHAEL SCHNEIDER
DAN CRANE SANDERS
LAWRENCE FREDERICK GEPFORD JR
CHRISTINE RECHTIEN, Respondent
TIMOTHY ROBERT GERDING
DAVID RECHTIEN, Respondent
TIMOTHY ROBERT GERDING

2. WD79807

LIVINGSTON COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT,
vs
MICHAEL SHANE STEWART, APPELLANT.

MICHAEL SHANE STEWART, Appellant
BRIAN J. KLOPFENSTEIN
STATE OF MISSOURI, Respondent
JOSEPH ANTHONY GAGNON

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

11-Sep-2017 10:30

DIVISION 3

Western District Ct of Appeals

1. WD80387

COLE COUNTY CIRCUIT COURT

MARY DOE, APPELLANT,
vs
ERIC GREITENS, ET AL, RESPONDENTS.

MARY DOE, Appellant
RONALD JAY EISENBERG
JOHN DOE I, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
GOVERNOR OF THE STATE OF MISSOURI, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
OFFICE OF ATTORNEY GENERAL, STATE OF MISSOURI, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
JEFFEREY CARTER, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
DAVID TANNEHILL, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
JAMES DIRENNA, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
JADE JAMES, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
SARAH MARTIN-ANDERSON, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
JOHN DOE II, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL
DAVID POGGEMEIER, Respondent
DEAN JOHN SAUER
JASON SCOTT DUNKEL

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket**

11-Sep-2017 10:30

DIVISION 3

Western District Ct of Appeals

2. WD80659

COLE COUNTY CIRCUIT COURT

**UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI, APPELLANT,
vs
CHRISTOPHER ESTES, ASSESSOR. COLE COUNTY, MISSOURI, RESPONDENT.**

UNION ELECTRIC COMPANY, Appellant
 WILLIAM RAY PRICE JR
 TIMOTHY JAMES TRYNIECKI
 CYNTHIA M JUEDEMANN
CHRISTOPHER D ESTES, Respondent
 RICHARD REED

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

19-Sep-2017 09:00

DIVISION 3

Western District Ct of Appeals

1. WD80556

CLAY COUNTY CIRCUIT COURT

**STATE OF MISSOURI EX REL JOEL YOEST, DAWN YOEST, LIBERTY ASSETS, LLC, LIBERTY
ASSET HOLDINGS, LLC, JUPITER GROUP, LLC, CASTLE ASSOCIATES, LLC, FIVE STAR
INVESTORS, LLC, APPELLANTS,**

vs

LYDIA H MCEVOY, CLAY COUNTY MISSOURI COLLECTOR OF REVENUE, RESPONDENT.

FIVE STAR INVESTORS, LLC, Appellant
JONATHAN STERNBERG
CASTLE ASSOCIATES, LLC, Appellant
JONATHAN STERNBERG
JUPITER GROUP, LLC, Appellant
JONATHAN STERNBERG
LIBERTY ASSET HOLDINGS, LLC, Appellant
JONATHAN STERNBERG
LIBERTY ASSETS, LLC, Appellant
JONATHAN STERNBERG
DAWN YOEST, Appellant
JONATHAN STERNBERG
JOEL YOEST, Appellant
JONATHAN STERNBERG
LYDIA H MCEVOY, Respondent
PATRICIA LOUISE HUGHES

2. WD80192

CLAY COUNTY CIRCUIT COURT

CANDA JOY KING, RESPONDENT,

vs

JEFFREY TRAVISS KING, APPELLANT.

JEFFREY TRAVISS KING, Appellant
ALLEN S. RUSSELL
CANDA JOY KING, Respondent
R GREGORY HARRISON

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket**

19-Sep-2017 10:30

DIVISION 3

Western District Ct of Appeals

1. WD80350

COLE COUNTY CIRCUIT COURT

**FRIENDS OF RESPONSIBLE AGRICULTURE, RESPONDENT; CALLAWAY FARROWING, LLC,
APPELLANT,**

vs

BUDDY BENNETT, ET AL., RESPONDENTS.

CALLAWAY FARROWING, LLC, Appellant

ROBERT JOSEPH BRUNDAGE

ALICIA KATHLEEN E TURNER

JOHN A. RUTH

HARRY BOZOIAN, Respondent

BROOK DIANE SMITH-MCCARRICK

RESPONDENTS BOZOIAN & BENNETT DID NOT
FILE BRIEFS AND THUS WAIVE ARGUMENT.

BUDDY BENNETT, Respondent

SHAWNA MARIE BLIGH

FRIENDS OF RESPONSIBLE AGRICULTURE, Respondent

STEPHEN G JEFFERY

2. WD79348

COLE COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT,

vs

KURT A STEIDLEY, APPELLANT.

KURT STEIDLEY, Appellant

WILLIAM BRIAN GADDY

JEREMY S WEIS

STATE OF MISSOURI, Respondent

ROBERT J BARTHOLOMEW JR.

3. WD79800

BOONE COUNTY CIRCUIT COURT

ORLANDA C ROWE #351053 (29.15), APPELLANT,

vs

STATE OF MISSOURI, RESPONDENT

ORLANDA C ROWE, Appellant

ROSEMARY ELLEN PERCIVAL

STATE OF MISSOURI, Respondent

GREGORY L. BARNES